

**PROCEEDINGS OF THE BROWN COUNTY BOARD OF SUPERVISORS**  
**DECEMBER 21, 2005**

Pursuant to Section 19.84 and 59.14, Wis. Stats., notice is hereby given to the public that the REGULAR meeting of the **BROWN COUNTY BOARD OF SUPERVISORS** was held on **Wednesday, December 21, 2005, at 7:00 p.m.**, at City Hall, 100 N. Jefferson Street, Green Bay, Wisconsin.

The following matters will be considered:

Call to order.

Invocation.

Pledge of Allegiance to the Flag.

Opening Roll Call:

Present: Van Den Heuvel, Graves, Nicholson, Theisen, Krueger, Haefs, Erickson, Zima, Evans, Vander Leest, Johnson, Dantine, Frohna, Collins, Beyl, Backmann, Van Deurzen, Fleck, Clancy, Moynihan, Zabel, Scray, Hinz, Lund, Fewell

Excused: Kaye

Total Present: 25                      Total Excused: 1

**No. 1 -- Adoption of agenda.**

A motion was made by Supervisor Krueger and seconded by Supervisor Dantine **“to adopt the agenda as amended”**. Voice vote taken. Motion carried unanimously with no abstentions.

**No. 2a -- Approval of “Official” minutes of County Board Meeting of October 19, 2005.**

A motion was made by Supervisor Johnson and seconded by Supervisor Nicholson **“to adopt the “official” minutes of the October 19, 2005 meeting”**. Voice vote taken. Motion carried unanimously with no abstentions.

**No. 2b -- Approval of “Official” minutes of County Board Meeting of November 14, 2005 and Veto Session of November 28, 2005.**

A motion was made by Supervisor Lund and seconded by Supervisor Hinz **“to adopt the “official” minutes of the November 14, 2005 and November 28, 2005 meeting.”** Voice vote taken. Motion carried unanimously with no abstentions.

**No. 3 -- Announcements by Supervisors. None.**

**No. 4 -- Communications. None.**

**No. 5 -- Appointments by County Executive.**

**No. 5a -- Appointment of Kari Ness and reappointment of Christopher Paquet, Marvin Rucker and Fred Graves to Affirmative Action Committee.**

A motion was made by Supervisor Van Deurzen and seconded by Supervisor Frohna **“to approve the appointments”**.

A motion was made by Supervisor Van Deurzen and seconded by Supervisor Frohna **“to approve the appointments and reappointments in one vote by approving items #5a, 5b, 5c, 5d, 5e, & 5f with one vote”**. Voice vote taken. Motion carried unanimously with no abstentions, with the exception of Item #5c (Housing Authority), where Supervisors Van Den Heuvel, Vander Leest, Scray, and Zima abstained from the reappointments of Thomas Diedrick and Richard Aicher to the Housing Authority.

**No. 5b -- Appointment of Tom Diedrick and reappointment of David Donarski and Jean Kiefer to Aging Resource Center Board.**

**No. 5c -- Reappointment of Thomas Diedrick and Richard Aicher to Housing Authority.**

**No. 5d -- Reappointment of Lynn Schwarm and Mike Hronek to Land Information Office Board.**

**No. 5e -- Appointment of Paul Shierl and reappointment of Paul Kegal to Library Board.**

**i) Appointment of Pamela Dennison to Library Board.**

**Board of Supervisors Committee as a Whole**

**No. 5f -- Confirmation/appointment of Mike Kwaterski as Director of Human Resources.**

**No. 6a -- Report by County Executive. No Report.**

**No. 6b -- Report by Board Chairman.**

Chairman Moynihan wished everyone a Merry Christmas and invited everyone out after the meeting for some Christmas Cheer.

**No. 7 -- Other Reports.**

**No. 7a -- BROWN COUNTY TREASURER'S FINANCIAL REPORT FOR THE MONTHS OF SEPTEMBER AND OCTOBER, 2005**

A motion was made by Supervisor Zima and seconded by Supervisor Van Deurzen **“to adopt the financial reports for the months of September and October 2005”**. Voice vote taken. Motion carried unanimously with no abstentions.

September 2005 Financial Report

**BROWN COUNTY TREASURER'S FINANCIAL REPORT FOR THE  
MONTH OF SEPTEMBER**

Following is a statement of the County Treasurer of the Cash on Hand and in the General Account of the Brown County Treasurer as of SEPTEMBER 30, 2005.

Associated Bank	\$ 1,419,128.60
Wisconsin Development Fund	0.00
Sweep Account (Repurchase Agreements)	(84,515.28)
Deposits in Transit	62,530.92
Emergency Fund	(24,139.11)
Non-sufficient Fund Checks Redeposited	13.00
PBA Sweep Account	(10,984.22)
Wausau Benefit Sweep Account	(687,164.11)
E-Flex Sweep Account	0.00
Deposit Adjustment	0.00
Bank Error(s)	0.00
<b>Total</b>	<b>674,869.80</b>
Less Outstanding Choice	(2,531,514.33)
Other Reconcilable Items	0.00
<b>Balance Per Cash Book</b>	<b>\$ (1,856,644.53)</b>

Following is a statement of the County Treasurer of the Working Capital reserves placed in time deposits in the designated public depositories within Brown County for the purpose of investments as of SEPTEMBER 30, 2005.

Year-to-Date Interest Received - Prior Month	1,817,164.91
Interest Received - Current Month	559,170.90
Year-to-Date Interest Received on Unrestricted Funds	<b>\$ 2,376,335.81</b>

Working Capital Reserves Invested	113,983,616.93
Restricted Investments	11,259,346.53
Total Funds Invested	<b>\$ 125,242,963.46</b>

I, Kerry M. Blaney, Brown County Treasurer, do hereby certify that the above statement of Cash on Hand and in the General Account as of SEPTEMBER 30, 2005 and the statement of investments for the month of SEPTEMBER have been compared and examined, and found to be correct.

\s\ Kerry M. Blaney  
County Treasurer

Approved by: \s\ Carol Kelso, County Executive

Date: 1/10/2006

October 2005 Financial Report

**BROWN COUNTY TREASURER'S FINANCIAL REPORT FOR THE  
MONTH OF OCTOBER**

Following is a statement of the County Treasurer of the Cash on Hand and in the General Account of the Brown County Treasurer as of OCTOBER 31, 2005.

Associated Bank	\$ 2,286,324.05
Wisconsin Development Fund	(11,233.47)
Sweep Account (Repurchase Agreements)	1,526,312.08
Deposits in Transit	57,831.14
Emergency Fund	(23,231.82)
Non-sufficient Fund Checks Redeposited	3,587.30
PBA Sweep Account	(10,984.22)
Wausau Benefit Sweep Account	(417,360.40)
E-Flex Sweep Account	0.00
Deposit Adjustment	0.00
Bank Error(s)	0.00
<b>Total</b>	<b><u>3,411,244.66</u></b>
Less Outstanding Choice	(2,219,585.94)
Other Reconcilable Items	<u>0.00</u>
<b>Balance Per Cash Book</b>	<b>\$ (1,191,658.72)</b>

Following is a statement of the County Treasurer of the Working Capital reserves placed in time deposits in the designated public depositories within Brown County for the purpose of investments as of OCTOBER 31, 2005.

Year-to-Date Interest Received - Prior Month	2,376,335.81
Interest Received - Current Month	<u>458,346.61</u>
Year-to-Date Interest Received on Unrestricted Funds	<b>\$ 2,834,682.42</b>
Working Capital Reserves Invested	105,708,494.87
Restricted Investments	<u>10,396,480.80</u>
Total Funds Invested	<b>\$ 116,104,975.67</b>

I, Kerry M. Blaney, Brown County Treasurer, do hereby certify that the above statement of Cash on Hand and in the General Account as of OCTOBER 31, 2005 and the statement of investments for the month of OCTOBER have been compared and examined, and found to be correct.

\s\ Kerry M. Blaney  
County Treasurer

Approved by: \s\ Carol Kelso, County Executive Date: 1/11/2006

**No. 8 -- Standing Committee Reports.**

**No. 8a -- REPORT OF ADMINISTRATION COMMITTEE OF DECEMBER 7, 2005**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The ADMINISTRATION COMMITTEE met in regular session on December 7, 2005, and recommends the following motions:

1. Review minutes of:
  - a. Housing Authority (10/17/05 & 11/14/05).
  - b. Affirmative Action Committee (10/25/05).
  - c. Revolving Loan Fund Committee (3/14/05).Approve.
2. Administration Report #8a, Item #5 from November 14, 2005 County Board meeting: Communication from Supervisor Andy Nicholson re: Request Brown County Board adopt a resolution calling for support of the Section 8 Housing Program with a mandate for shared responsibility throughout all county municipalities with equal distribution based on population. (Referred from November County Board.) Hold until next month's meeting.
3. Treasurer - Financial Reports for the months of September & October 2005. Approve.
4. County Clerk - Resolution re: Supporting Assembly Bill 257 and Senate Bill 126 pertaining to publishing requirements for ordinances. (Referred to Executive Committee.) Committee supported resolution as amended. See Resolutions, Ordinances December County Board.

5. Human Resources - Monthly Committee Report (October, 2005). Approve.
6. Human Resources - Update from Human Resources regarding employees requesting appeals of Class & Comp study. Approve.
7. Human Resources - Communication from Supervisor Steve Fewell re: Human Resources posting of positions. (Referred back to this committee from previous meeting.) (Deleted from agenda.)
8. Human Resources - Resolution re: Approving Human Resources Recruitment and Selection Policy, Number HR 15. Committee approved. See Resolutions, Ordinances December County Board.)
9. Human Resources - Resolution re: Brown County Revised Affirmative Action Plan. Committee approved. See Resolutions, Ordinances December County Board.
10. Dept of Administration - 2005 Budget Transfer Log. Approve the 2005 budget transfer log.
11. Facilities Management - Request for Budget Transfer (#05-63): Interdepartmental Transfer (including contingency or general fund transfers): Special assessment from City of Green Bay for street improvements on Bellevue Street –Lilac Lane to Elkay Lane. Transfer from General Fund reserves to pay for this assessment (\$3,992.37). Approve.
12. Facilities Management - Bid Tabulation Record for UW-Extension Roof Replacement, Project #1171, October 21, 2005. Approve Option II Membrane Roofing for \$100,700 and gypsum deck replacement at \$25/sq. ft.
13. **Closed Session:** For the purpose of considering compensation data (vacation) of any public employee over which the governmental body has jurisdiction or exercises responsibility, pursuant to Sec. 19.85(1)(c), Wis. Stats.  
(No Closed Session held.)
14. Audit of bills. Approve audit of bills.

A motion was made by Supervisor Lund and seconded by Supervisor Beyl **“to adopt”**. Supervisor Frohna requested Item #12 be taken separately. Voice vote taken. Supervisors Zima, Vander Leest, Van Den Heuvel and Scray abstained from item. #1. Remainder of report passed unanimously with no abstentions.

Item #12 -- Facilities Management - Bid Tabulation Record for UW-Extension Roof Replacement, Project #1171, October 21, 2005. COMMITTEE ACTION: Approve Option II Membrane Roofing for \$100,700 and gypsum deck replacement at \$25/sq. ft.

Supervisor Frohna questioned the number of square feet of the project. Following discussion, a motion was made by Supervisor Van Deurzen and seconded by Supervisor Collins **“to adopt item #12”**. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Carol Kelso, County Executive

Date: 1/10/2006

No. 8b -- **REPORT OF EDUCATION AND RECREATION COMMITTEE OF  
DECEMBER 1, 2005**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EDUCATION & RECREATION COMMITTEE met in regular session on December 1, 2005 and recommends the following:

1. Review minutes of:
  - a) Library Board (10/20/05). Receive & place on file.
2. Arena/Expo Centre Resch Centre - Arena Event Attendance (October 2005). Receive & place on file.
3. Parks - Present the Arena Complex Study. Receive & place on file.
4. Parks - Proposal for the restoration of the Branch River at Way Morr Park. Approve the concept of restoration of the Branch River at Way-Morr Park.
5. Parks - Request for waiver of fees from Green Bay Duck Hunters Association to use the Pamperin Park Dance Hall on April 8, 2006. Approve.
6. Parks - Leasing of the Packer Hall of Fame Building. (Held from November 3, 2005 meeting for an update in December.) Refer to next month's meeting.
7. Parks - Director's report. Receive & place on file.
8. Museum - Attendance & Admissions (October 2005). Receive & place on file.
9. Museum - Strategic Planning Report. (Held from October 6, 2005 meeting.) Receive & place on file.
10. Museum - Recommendation to discontinue the Museum Sub Committee. Discontinue Museum Sub Committee.
11. Museum - Request for Museum to participate in the Packer Country Visitor and Convention Bureau's "Be a Tourist in Your Own Hometown" promotion in 2006. Participate in "Be a Tourist in your own Hometown."
12. Museum - Director's report. Receive & place on file.
13. Golf Course - Daily Financial Report (November 13, 2005). Receive & place on file.
14. Golf Course - Communication from Supervisor Vander Leest re: Making changes to the Brown County Golf Course for 2006. (From previous meeting: *Refer to Golf Course Superintendent to come back with information on signage for the 1<sup>st</sup> and 10<sup>th</sup> tees to speed up play and work with Corporation Counsel on a county code change to authorize the Golf Course Superintendent to temporarily lower county golf course fees when the course opens in the spring, if winter kill causes poor playing conditions.*)
  - a) Separation of agenda item.
  - b) Refer the Signage issue to staff.
  - c) Approve the Ordinance to amend section 8.23 of the Brown County Code entitled "Golf Course." See Resolutions, Ordinances December County Board.
15. Golf Course - Superintendent's report. Receive & place on file.

16. Library - Director's report. Receive & place on file.
17. Communication from Supervisor Kathy Johnson re: To review the possibility and have discussion to sell naming rights at the Library buildings in Brown County to help raise dollars or the foundation. Refer this to Library Board for their review.
18. Zoo - Monthly Activity Report for November 2005.
  - a) Thank Zoo Society for the projects they have funded. See Resolutions, Ordinances December County Board.
  - b) Receive & place on file.
19. Audit of bills. Approve the bills.

A motion was made by Supervisor Johnson and seconded by Supervisor Scray **"to adopt"**. Supervisor Erickson requested item #17 be taken separately. Voice vote taken. Remainder of report carried unanimously with no abstentions.

Item #17 -- Communication from Supervisor Kathy Johnson regarding: To review the possibility and have discussion to sell naming rights at the Library buildings in Brown County to help raise dollars for the foundation. COMMITTEE ACTION: Refer this to Library Board for their review.

Supervisor Erickson asked questions regarding the naming rights at the library. Following discussion, a motion was made by Supervisor Nicholson and seconded by Supervisor Johnson **"to adopt"**. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Carol Kelso, County Executive Date: 1/10/2006

**No. 8c -- REPORT OF EXECUTIVE COMMITTEE OF DECEMBER 12, 2005**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EXECUTIVE COMMITTEE met in regular session on December 12, 2005 and recommends the following motions:

1. Review minutes:
  - a) Legislative Subcommittee (11/28/05).  
Receive & place on file.
2. Presentation by Clifton/Gunderson on 2004 audit results. Receive & place on file.
3. Communication from Supervisor Erickson re: Requesting Brown County obtain membership to the National Association of Counties (NACo). (Held from previous meeting.) Refer to staff to gather information on how the drug program works for NACo and other counties, information from Milwaukee County and other Midwest counties and to determine what department would be appropriate to man this program.

4. Annual Budget of Brown County Housing Authority (Requested at November 7, 2005 meeting). Hold until January meeting.
5. County Executive. (No report.)
6. Internal Auditor Report. (No report.)
7. Legislative Subcommittee Report. (No report.)
8. Communication from Supervisor Guy Zima re: County Board consider making it a standard rule by resolution or ordinance that any administration initiatives to make changes in the Table of Organization be submitted to the appropriate standing committee for approval prior to the annual budget presentation. (Referred from November County Board meeting.) Hold for January meeting.
9. Resolution re: Supporting Passage of Assembly Bill 257 & Senate Bill 126 pertaining to publishing requirements for ordinances. (Referred from Administration Committee.) Committee approved. Ayes: 6 (Dantinne, Moynihan, Jr., Haefs, Lund, Vander Leest, Kaye.) Nays: 1 (Evans). Motion Carried. See Resolutions, Ordinances December County Board.
10. Resolution re: In Support of 2005 Assembly Bill 790: Funding for Bills Imposing State Mandates. Committee approved. (Referred from Legislative Sub Committee.) See Resolutions, Ordinances
11. Resolution re: Requesting Governor and State Legislators Enact Legislation to Re-Emphasize the Transportation User Fee Concept Thus Segregating Fuel Tax Revenues and Vehicle Registration Fees Specifically for the Transportation Fund. (Referred from Legislative Sub Committee.) Committee approved. See Resolutions, Ordinances December County Board.
12. Resolution re: In Opposition of 2005 Assembly Bill 575 Classifying Social Workers as Protective Occupation Participants in the Wisconsin Retirement System. (Referred from Legislative Sub Committee.) Committee approved. See Resolutions, Ordinances December County Board.
13. Resolution re: In Support of 2005 Assembly 208 Regarding the Establishment of Rural Enterprise Zones. (Referred from Legislative Sub Committee.) Committee approved. See Resolutions, Ordinances December County Board.
14. Resolution re: In Support of Assembly Bill 802 and Similar Legislation that would Require that the State of Wisconsin more Equitably Share Federal IGT Funds with Local Governments that Operate Nursing Homes. (Referred from Legislative Sub Committee.) Committee approved. See Resolutions, Ordinances December County Board.
15. **Closed Session:** For the purpose of deliberating whenever competitive or bargaining reasons require a closed session pursuant to Wisconsin State Statute 19.85 (1) (e). In the alternative, the Executive Committee is meeting for the purpose of collective bargaining and is not subject to the Wisconsin open meetings law pursuant to 19.82 (1) of the Wisconsin State Statutes, and also for the purpose of conferring with legal counsel for Brown County as to legal advice concerning strategy as to litigation pending pursuant to sec. 19.85(1)(g) of the Wisconsin State Statutes.
  - a) Enter into closed session.
  - b) Return to regular order of business.
  - c) See action taken on nos. 16 & 17.
16. Update regarding Contract Negotiations. (Closed Session.) Receive & place on file.

17. Update re: Service Fees for Oneida Indians. (Closed Session.) Receive & place on file.

A motion was made by Supervisor Fleck and seconded by Supervisor Nicholson **“to adopt”**. Voice vote taken. Motion carried with Supervisor Beyl abstaining from item #3.

Approved by: \_\_\_\_\_ \s\ Carol Kelso, County Executive \_\_\_\_\_ Date: 1/10/2006

**No. 8d -- REPORT OF “SPECIAL” EXECUTIVE COMMITTEE OF DECEMBER 19, 2005**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:

1. Request Resolution of censure of Supervisor Earl Van Den Heuvel. Committee approved the request of resolution to censure Supervisor Earl Van Den Heuvel. Ayes: 6 (Moynihan, Jr., Haefs, Vander Leest, Evans, Dantine, Lund); Nays: 0; Excused: 1 (Kaye). Motion Carried Unanimously. See Resolutions, Ordinances December County Board.

A motion was made by Supervisor Vander Leest and seconded by Supervisor Nicholson **“to adopt”**. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \_\_\_\_\_ \s\ Carol Kelso, County Executive \_\_\_\_\_ Date: 1/10/2006

**No. 8e -- REPORT OF HUMAN SERVICES COMMITTEE OF DECEMBER 14, 2005**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The HUMAN SERVICES COMMITTEE met in regular session on December 14, 2005, and recommends the following motions:

1. Review minutes of:
  - a) Human Services Board (10/6/05 & 11/3/05).
  - b) Homeless Issues & Affordable Housing Sub Cmte (9/20/05 & 11/15/05).
  - c) Children with Disabilities Education Board (9/14/05, 10/11/05, & 11/9/05).
  - d) Community Options Program Appeals Cmte (10/24/05 & 11/28/05).
  - e) Veterans’ Recognition Subcommittee (10/18/05 & 11/8/05).
  - f) Board of Health (8/2/05).
  - g) Aging & Disability Resource Center (10/28/05).

- Receive & place on file items a-g.
2. Communication from Supervisor Steve Fewell re: Adolescent Center Admissions. Hold until next meeting.
  3. Communication from Supervisor Pat Collins re: Funding for Teen Parenting in the amount of \$75,000 with the funds to come from the Undesignated Human Services Fund. Hold until next month until such time as the YWCA can bring to this committee a detailed budget of what they need to fund their entire program, what they are presently funding, and what they would do with \$75,000, if approved.
  4. Discussion of new Mental Health Center. No action.
  5. Human Services Dept. - Report, Item Number 5 referred back to the Human Services Committee. (Referred from November 14, 2005 County Board meeting.) Refer to January so staff can bring back requested information.
  6. Human Services Dept. - Contract Update (standing item requested by Chair Pat Evans). Receive & place on file.
  7. Human Services Dept. - Sample Resolution from WCA on the Cost of Mental Health Placements. Receive & place on file.
  8. Human Services Dept. - Resolution re: Pertaining to Placements at the State Mental Health Institutions. (Referred to Executive Committee January 9, 2005.) Committee approved. See Resolutions, Ordinances **January 2006 County Board.**
  9. Human Services Dept. - Reason for Denials from Jail for Unit 1. Receive & place on file.
  10. Human Services Dept. - Office Re-Arrangements. (Supervisor Fewell's Communication.) Receive & place on file.
  11. Department of Health & Family Services has issued a Request for Information/Proposal (RFI/RF) designed to identify potential partners and/or ideas to help the State plan and implement a more integrated and better managed system of long-term care on a statewide basis. Approve.
  12. Audit of bills. Pay the bills.

A motion was made by Supervisor Van Deurzen and seconded by Supervisor Johnson **“to adopt”**. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Carol Kelso, County Executive Date: 1/10/2006

**No. 8f -- REPORT OF PLANNING, DEVELOPMENT AND TRANSPORTATION COMMITTEE OF NOVEMBER 23, 2005 (Land Conservation Subcommittee did not have a meeting)**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PLANNING, DEVELOPMENT & TRANSPORTATION COMMITTEE met in regular session on November 23, 2005, and recommends the following motions.

**Land Conservation Subcommittee** (No Meeting Held.)

**Planning, Development & Transportation Committee**

1. Review minutes of:
  - a) Planning Commission Board of Directors (10/5/05).
  - b) Solid Waste Board (4/18/05 & 8/1/05).
  - c) Harbor Commission (5/9/05 & 6/13/05).Receive & place on file items a-c.
2. Highway - Brown County funding on the construction of the new Claude-Allouez Bridge, in the City of De Pere (from September 2005 meeting). Hold for one month.
3. Highway - Commissioner's report. No action.
4. Communication from Supervisor Harold Kaye re: Signage on Lombardi Avenue and Holmgren Way and signage on Oneida Street & Lombardi Avenue. Hold for one month and report back by next meeting.
5. Airport - Request for a variance to approve construction of a Single family home in Airport Crash Zone A. Hold for 60 days until January 2006 meeting.
6. Airport - Director's report. No action.
7. **Closed Session:** Pursuant to Sec. 19.85 (1) (c) considering employment, promotion, compensation, or performance evaluation date of a public employee over which the Committee has jurisdiction or exercises responsibility. (No closed session held.)
8. Audit of bills. Pay the bills.

A motion was made by Supervisor Krueger and seconded by Supervisor Zabel **"to adopt"**. Supervisor Zabel requested item #1 be taken separately. Voice vote taken. Remainder of report carried unanimously with no abstentions.

Item #1 -- Review minutes of (a) Planning Commission Board of Directors (10/5/05). (b) Solid Waste Board (4/18/05 and 8/1/05). (c) Harbor Commission (5/9/05 and 6/13/05).

Supervisor Zabel asked for clarification of the Solid Waste Minutes. Chairman Moynihan said we would get the information for Supervisor Zabel. A motion was made by Supervisor Zabel and seconded by Supervisor Collins **"to adopt item #1"**. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Carol Kelso, County Executive Date: 1/10/2006

**No. 8g -- REPORT OF PUBLIC SAFETY COMMITTEE OF DECEMBER 5, 2005**

TO THE MEMBERS OF THE BROWN COUNTY  
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PUBLIC SAFETY COMMITTEE met in regular session on December 5, 2005, and recommends the following motions:

1. Review minutes/reports of:
  - a) EMS Council (10/12/05).
  - b) FoxComm User Technical Committee (9/21/05).
  - c) Fire Investigation Task Force Board of Directors (7/21/05).\
  - d) Local Emergency Planning Cmte (LEPC) (11/8/05).Receive & place on file items a-d.
2. Request Facilities Management to give an estimate on what the cost would be to provide outlets to five court rooms. (Held from previous meeting.) Hold for one month.
3. Volunteers In Probation – Monthly Statistics ending October 31, 2005. Receive & place on file.
4. Emergency Government - Request for Budget Transfer (#05-62): Increase in Expenditures with Offsetting Increase in Revenue: 2003 Homeland Security funds awarded for Brown County Citizen Corp in the amount of \$30,000 to purchase equipment and hire a contractor for the Brown County Citizen Corp Council. Approve.
5. Emergency Government - Discussion re: Emergency Government Master Disaster Plan for Brown County. Receive & place on file.
6. Sheriff - Key Factor Report 2005 with Jail Average Daily Population by month and overtime by expenditures by division/session 2005 – for December 2005 meeting including jail medical statistics. Receive & place on file.
7. Sheriff - Request for Budget Transfer (#05-61): Increase in Expenditures with Offsetting Increase in Revenue: Increase revenue & expense to Receive & place on file. & utilize Local Law Enforcement Block Grant 2003-04 funds received by Green Bay and passed through to Brown County. Funds to be used to purchase ERU weapons (\$4,500). Approve.
8. Sheriff - Resolution re: 2006 County-Tribal Law Enforcement Grant. Committee approved. See Resolutions, Ordinances December County Board.
9. \*\* Sheriff - Request from Supervisor Andy Nicholson re: Supporting drug narcotic officers and funding for whatever they need. (Request from November 28, 2005 County Board meeting.) Add an additional Drug Task Force Officer at a cost of \$42,500 contingent on the City of Green Bay paying the other half.
- \*\* Amend the Committee Action to Item #9 by adding “that the County Board approve by substitution the addition of one drug narcotic officer to be selected by Sheriff Kocken with reimbursement to the community that provides the officer at a cost of \$85,000 funded by the drug asset forfeiture account”. This amendment was approved by the County Board on 12/21/2005.
10. Sheriff’s report. (No report.)
11. **Closed Session:** Pursuant to Sec. 19.85 (1) (c) considering employment, promotion, compensation, or performance evaluation date of a public employee over which the Committee has jurisdiction or exercises responsibility. (No closed session held.)

12. Audit of bills. Approve audit of bills.
13. Discussion of next month's meeting date. (To be held at Public Safety Communications. Wednesday, January 11, 2005.)

A motion was made by Supervisor Clancy and seconded by Supervisor Beyl "to adopt". Supervisor Erickson requested item #9 be taken separately. Voice vote taken. Remainder of report passed unanimously with no abstentions.

Item #9 -- Sheriff - Request from Supervisor Andy Nicholson re: Supporting drug narcotic officers and funding for whatever they need. (Request from November 28, 2005 County Board meeting.) COMMITTEE ACTION: Add an additional Drug Task Force Officer at a cost of \$42,500 contingent on the City of Green Bay paying the other half.

A motion was made by Supervisor Erickson and seconded by Supervisor Fewell **"to refer this communication with the understanding they get a report on two."**

After discussion, Supervisor Erickson **"withdrew his motion to refer"** and Supervisor Fewell **"withdrew his second"**.

A motion was made by Supervisor Zima and seconded by Supervisor Graves **"that the County Board approve by substitution the addition of one drug narcotic officer to be selected by Sheriff Kocken with reimbursement to the community that provides the officer at a cost of \$85,000 funded by the drug asset forfeiture account."**

Discussion followed on Supervisor Zima's motion by substitution. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by:           \s\ Carol Kelso, County Executive           Date: 1/10/2006

**No. 9 -- Resolutions, Ordinances**

**No. 9a -- RESOLUTION REGARDING: BROWN COUNTY REVISED AFFIRMATIVE ACTION PLAN**

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE  
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, the Brown County Board has made it the official policy of Brown County to subscribe to the principles of equal employment opportunities as stated in the provisions of Title VII of the Civil Rights Act of 1964 as amended by the Equal Employment Opportunity Act of 1972 and other federal and state laws and regulations which relate to prohibitions against discrimination in employment; and

WHEREAS, the Affirmative Action Officer and the Human Resources Department have revised Brown County's Affirmative Action Plan; and

WHEREAS, the Administration Committee has reviewed and recommends approval of the revised Plan to the Brown County Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED, by the Brown County Board of Supervisors, that the attached revised Brown County Affirmative Action Plan, which is established as a commitment to the principles of equal employment opportunity and affirmative action on the part of Brown County, is hereby approved.

Respectfully submitted,  
ADMINISTRATION COMMITTEE

ATTACHMENT TO RESOLUTION #9A

**BROWN COUNTY  
AFFIRMATIVE ACTION  
PLAN**

*An Equal Employment Opportunity Employer*

Revised By: Brown County Human Resources Department  
Adopted By: Brown County Board of Supervisors

Date: November, 2005  
Date:

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## I. INTRODUCTION AND LEGAL FRAMEWORK

In accordance with Federal laws, rules and regulations, and because it is engaged in the administration of Federal grant-in-aid funds and other intergovernmental programs, Brown County is required to biannually update an Affirmative Action Program for equal employment and service delivery. Such programs are involved in one or more of the following areas:

- |               |               |
|---------------|---------------|
| • Education   | • Employment  |
| • Communities | • Welfare     |
| • Health      | • Agriculture |

Under various authorities, Brown County is required to conduct its activities without discrimination. Specifically, it must comply with the Standards for a Merit System of Personnel Administration (1979) and the Uniform Guidelines on Employee Selection Procedures (1978).

Under authority of the Intergovernmental Personnel Act, Standards for a Merit System of Personnel Administration were published. Brown County must conform to these standards as a condition of eligibility in the administration of various federal funds. Personnel systems based on these standards promote equal employment opportunity, assure the fair treatment of applicants and employees in all human resources programs, and contribute to the achievement of a representative work force. Thus, discrimination is not allowed in recruitment, hiring, assignment, lay-off, promotion, demotion, transfer, compensation, training, corrective action, termination, and use of facilities. This principle ensures fair treatment without regard to race, color, ancestry, religion, national origin, political affiliation, sex, age, disability, marital status, arrest or conviction record, sexual orientation, disabled veteran or covered

veteran status, membership in the National Guard or any other reserve component of the United States or State military forces, use or nonuse of lawful products off the employer's premises during non-working hours, or other non-merit factors, except where such factors constitute a bona fide occupational qualification or substantially related to the circumstances of a particular job or licensed activity, and with proper regard for the privacy and constitutional rights of citizens.

The Uniform Guidelines on Employee Selection Procedures (1978) require that all selection procedures that have an adverse impact on any racial, sex, or ethnic group must be validated, modified or changed in accordance with the Guidelines or with Federal law. The Guidelines do not apply to responsibilities as provided under the Age Discrimination in Employment Act of 1967, as amended, or under Sections 501, 503 and 504 of the Rehabilitation Act of 1973, which pertain to special consideration extended to certain age groups and to the disabled, under those acts, respectively. However, prohibitions against discrimination in employment practices are consistent with those acts.

Other applicable statutes, regulations or rules with specific mention of Affirmative Action/Equal Opportunity Programs, include the Educational Amendment of 1972 to Title IX, the Equal Pay Act of 1963, as amended, and the Equal Employment Opportunity Commission's Affirmative Action Guidelines for voluntary action under Title VII.

## **II. NON-DISCRIMINATION POLICIES**

### **EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION POLICY**

WHEREAS, it is the official policy of Brown County to provide equal employment opportunities for all qualified persons without regard to race, color, ancestry, religion, national origin, political affiliation (except to members of political groups or parties who advocate the overthrow of the United States government), sex, age, disability, marital status, arrest or conviction record, sexual orientation, disabled veteran or covered veteran status, membership in the National Guard or any other reserve component of the United States or State military forces, use or nonuse of lawful products off the employer's premises during non-working hours, or any other non-merit factors except where such factors constitute a bona fide occupational qualification or substantially relate to the circumstances of a particular job or licensed activity, and with proper regard for privacy and constitutional rights as citizens; and,

WHEREAS, this policy is applicable to all phases of employment, including job structuring, reasonable accommodation for individuals with disabilities, recruitment, selection, promotion, transfer, compensation, lay-off and recall, training and development, corrective action, termination, and all other components of the Brown County Human Resources system.

NOW, THEREFORE, BE IT RESOLVED, by the Brown County Board of Supervisors, that the policies, procedures, rules and regulations of all its departments, agencies and facilities, and that the provisions of labor contracts be amended, if necessary, to come into compliance with the provisions of Title VII of the Civil Rights Act of 1964 as amended by the Equal Employment Opportunity Act of 1972; Presidential Executive Order 11246 as amended by Executive Order 11375; OFCCP Affirmative Action Guidelines, the Intergovernmental Human Resources Act of 1970; State and Local Fiscal Assistance Act of 1972 to Title IX; Rehabilitation Act of 1973; Discrimination in Employment Act of 1967 as amended in 1974; Federal Contract Compliance Act of 1965; Americans with Disabilities Act

of 1990; Wisconsin Fair Employment Act; Civil Rights Act of 1991; and all provisions contained therein which relates to prohibitions against discrimination in employment.

BE IT FURTHER RESOLVED that the revised Affirmative Action Program included in a report made earlier this date and which is established as a commitment to the principles of equal opportunity and affirmative action on the part of Brown County is hereby approved. (County Code section 4.53 provides for equal employment opportunity, and County Code section 4.40(4)(k) provides for the establishment of an affirmative action plan).

### **DISABILITY POLICY**

The County Code, section 4.53, provides equal employment opportunity without regard to disability. No otherwise qualified individual with disabilities shall be denied employment opportunities solely on the basis of disability. The County shall make reasonable accommodation to eliminate obstacles that would prevent an otherwise qualified disabled person from performance in a County position.

Where not yet accomplished, structural changes to essential County facilities or appropriate alternatives to assure accessibility by disabled individuals shall be made in accordance with the County's program for the removal of architectural barriers.

### **SEXUAL HARASSMENT POLICY**

The County Code, section 4.105, explicitly forbids sexual conduct that might affect an applicant's or employee's employment opportunities or which might create a hostile, intimidating or offensive work environment. Brown County does not tolerate sexual harassment in any form in the work place, and is committed to providing a work place free from sexual harassment for all employees. The Affirmative Action Officer, Human Resources Director, Assistant Human Resources Director, Human Resources Analyst, or Executive Assistant to the County Executive should be notified of any acts committed by employees, agents or vendors which may be considered sexual harassment. The individuals listed above will promptly investigate all complaints, and any such conduct will be subject to corrective action.

As part of the sexual harassment policy, training and continued notification regarding our policy is provided to all employees. All new employees are required to attend an orientation session, at which sexual harassment and the County's policy on sexual harassment are discussed at length. Each employee will also receive notification annually, of the policy, including the definition of sexual harassment, Brown County's position on sexual harassment, and how to report acts that may constitute sexual harassment.

### **III. AFFIRMATIVE ACTION PROGRAM REQUIREMENTS**

The purpose of affirmative action programs is to identify and eliminate artificial barriers to equal employment opportunity. Affirmative action program goals and timetables are the positive steps to be taken to ensure no discrimination. Affirmative action requires an employer to do more than ensure that employment policies are neutral in effect on different groups. It requires an employer to make additional efforts to eliminate barriers to equal opportunity for qualified members of groups formerly

excluded from the work force, even if that exclusion cannot be traced to particular discriminatory actions on the part of the employer.

A basic component of an affirmative action plan is a work force analysis to determine if the representation of women and minorities in the work force is similar to that in the labor force. If it is determined through such analysis that selection procedures in total have resulted in adverse impact or leave uncorrected the effects of past discrimination, employment procedures must be analyzed in detail to determine possible causes and problem areas. A reasonable systematic action plan to include goals and timetables must be formulated to resolve problems identified. Evaluation of results, further analysis, and updates should then be conducted on a regular basis. Adverse impact determinations should be made at least annually for each group that constitutes two percent (2%) of the labor force in the relevant labor area or two percent (2%) of the work force. Where adverse impact is indicated overall, it is required that certain records be maintained on specific personnel and employment practices. Besides these elements, a sound Affirmative Action Plan includes a policy statement, a plan for its distribution, and a designation of persons with program responsibilities.

#### **IV. EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION STATEMENT**

##### **EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION**

Brown County is committed to the equality of opportunity for all people. It is the official policy of Brown County to provide equal employment opportunities for all individuals, on the basis of their skills, abilities and qualifications, without regard to race, color, ancestry, religion, national origin, political affiliation, sex, age, disability, marital status, sexual orientation, disabled veteran or covered veteran status, membership in the National Guard or any other reserve component of the United States or State military forces, or any other basis protected under Federal, State or local law.

As part of our commitment to equal employment opportunity and affirmative action we are communicating this message to all Brown County employees. All new employees will also receive this statement during a new employee orientation session. All employees will receive this statement annually as an affirmation of our dedication to our Equal Employment Opportunity Policy and Affirmative Action Plan.

The commitment of Brown County to its employees includes a prohibition of harassment in the workplace on the basis of race, color, ancestry, religion, national origin, political affiliation, sex, age, disability, marital status, sexual orientation, disabled veteran or covered veteran status, membership in the National Guard or any other reserve component of the United States or State military forces, or any other basis protected under Federal, State or local law. We encourage any individual who feels he/she has been harassed to bring the situation to the attention of the Affirmative Action Officer.

The Affirmative Action Officer for Brown County is Wade Schmechel, Human Resources Benefits Program Coordinator. You are encouraged to discuss any questions, issues or concerns regarding this policy and its application in your employment at Brown County with Wade Schmechel.

We are fully committed to our Equal Employment Opportunity Policy and Affirmative Action Program. All employees are expected to comply with and support our policy. Together, we must all strive to create a work force that is free from discrimination and which provides equal opportunity for all.

Carol Kelso  
County Executive

Michael Kwaterski  
Interim Human Resources Director

## **V. DISSEMINATION OF COUNTY POLICY AND PLAN**

To ensure that Brown County's Affirmative Action Program is communicated to all employees, applicants and citizens, the following steps will be accomplished.

1. The Affirmative Action Officer will be responsible for the dissemination of the Affirmative Action Plan and all other appropriate information to all County departments.
2. The policy statement will be prominently displayed in a conspicuous public place in all County buildings and on bulletin boards.
3. The policies and plan will be disseminated to unions representing County employees.
4. All employees will receive, annually, a copy of the Equal Employment Opportunity/Affirmative Action statement.
5. All employees will receive, annually, information regarding Brown County's Sexual Harassment Policy, definition of sexual harassment, and how to report acts which may constitute sexual harassment.
6. All newly hired employees will receive sexual harassment training, and receive Brown County's policy regarding sexual harassment.
7. All newly hired employees will be provided with a copy of the Equal Employment Opportunity/Affirmative Action statement by the Human Resources Department.
8. All employment applications, along with other personnel documents, will include the phrase "An Equal Opportunity Employer."
9. The Affirmative Action Policy and Plan will be made available biannually to the media, minority and women's organizations, community groups and agencies which are advocates for the individuals recognized in the affirmative action goals, and upon request at all other times.
10. All advertisements for Brown County positions will include the phrase "An Equal Opportunity Employer."
11. The Open Positions line, a telephone recording of information regarding job vacancies, established for greater community access to this information, includes the phrase "Brown County is an Equal Opportunity Employer."

## **VI. RESPONSIBILITY FOR IMPLEMENTATION OF PROGRAM**

The County recognizes that an Affirmative Action Plan requires total commitment and cooperation from all levels of County management and staff. Therefore, affirmative action responsibilities have been assigned accordingly, as detailed below.

### **Board of Supervisors:**

The Board of Supervisors has ultimate responsibility for:

1. The adoption of this plan on a countywide basis;
2. Budget support to accomplish this plan.

### **County Executive:**

The County Executive is responsible for:

1. Evaluating the Affirmative Action performances of the County's department heads and managers;
2. Appointing the members of the County Affirmative Action Committee with confirmation by the County Board.

### **Human Resources Director:**

The Human Resources Director is responsible for:

1. The achievement of the objectives established in this plan;
2. Implementation of this plan on a countywide basis;
3. Ensuring the job relatedness of all aspects of the County's Human Resources processes;
4. Eliminating artificial barriers to hiring and promotion of women and minorities;
5. Evaluating the Affirmative Action performance of the Affirmative Action Officer;
  6. Coordinating with the Affirmative Action Officer to ensure compliance with Equal Employment Opportunity and Affirmative Action policies;
7. Ensuring active recruitment efforts to increase the number of qualified women and minorities.

### **Affirmative Action Officer:**

The Benefits Program Coordinator in the Human Resources Department shall be charged with the responsibility and authority to develop, implement, administer and review the Affirmative Action Plan. The Officer shall have full access to all departmental policies and procedures, rules and regulations, including personnel files, background investigation reports, and other documents or information relating to any aspect of the Brown County Human Resources operation.

This Officer shall be directly responsible to the Human Resources Director, who is responsible to the County Executive in matters pertaining to Affirmative Action. In the area of overall administration of the County's policy of Equal Employment and Affirmative Action, general responsibilities of the Affirmative Action Officer shall consist of, but are not limited to, the following areas:

1. Work with the Human Resources Director, the County Executive, and the County Board Administration Committee to develop policies and practices which will be non-discriminatory with regard to race, color, ancestry, religion, national origin, political affiliation, sex, age, disability, marital status, arrest or conviction record, sexual orientation, disabled veteran or covered veteran status, membership in the National Guard or any other reserve component of the United States or State military forces, use or nonuse of lawful products off the employer's premises during non-working hours, or any other non-merit factors, except where such factors constitute a bona fide occupational qualification or substantially relate to the circumstances of a particular job or licensed activity;
2. Work with department heads to determine problem areas of employment and service delivery and to establish goals and methods, plus reasonable timetables to eliminate discrimination, should any exist, and to achieve a representative work force;

3. Instruct department heads on the provisions of Affirmative Action and Equal Employment Opportunity laws, rules and regulations as they relate to individual departmental operations, especially in areas in which problems have been identified. Ensure that Brown County's Human Resources policies, procedures and practices are in accordance with the Standards for a Merit System of Personnel Administration and Uniform Guidelines on Employee Selection Procedures;
4. Disseminate and communicate the County Equal Employment Opportunity/Affirmative Action Policy (see Section IV);
5. Monitor the operation and effectiveness of the plan and compliance with the Standards and Uniform Guidelines, including periodic evaluation of hiring and promotion patterns, and take any remedial steps necessary to resolve shortcomings;
6. Handle any complaints or grievances that may arise from the implementation of the plan, or through the grievance procedure;
7. Design and maintain audit and recordkeeping procedures for the collection of statistical data at a central office for inspection by the federal government. Compile and submit Equal Employment Opportunity reports that may be required by law;
8. Review and revise on a regular basis, the content of the plan in order to identify new problems that might arise and to update goals and timetables.

#### **Affirmative Action Committee:**

The Affirmative Action Committee shall consist of seven members appointed by the County Executive, subject to confirmation by the County Board. At least five members shall be employees of the County and one shall be a member of the Administration Committee. The Committee shall consist of at least two members of each sex. No more than three County Board Supervisors shall serve on the Committee, and terms of office shall be for two years, with staggered termination dates. The Affirmative Action Committee shall be charged with the following responsibilities.

1. Meet quarterly to review the County's progress toward its Affirmative Action goals and review new hires of the County;
2. Convene, when necessary, to review EEO/AA related cases as filed through the County grievance procedure and to provide a forum for employees to raise questions concerning the policy, its implications and purpose, as well as to recommend improvements in the policy;
3. Advise and recommend policies and procedures to the Affirmative Action Officer, the County Executive, the County Board of Supervisors and the heads of various County departments.

#### **Management Responsibilities:**

The responsibilities of management include:

1. Carrying out management duties and responsibilities in a manner that demonstrates and sets the example for employees and the public that Brown County is an equal opportunity employer.
2. Assisting in the implementation of the Affirmative Action Plan and Equal Opportunity in Service Delivery Program in order to meet the program's goals and objectives;
3. Ensuring that all selection and employment decisions are consistent with the Equal Employment Opportunity/Affirmative Action Policy;
4. Developing and implementing the Equal Opportunity in Service Delivery Program in order to meet the program's goals and objectives, which includes ongoing monitoring of services delivered;

5. Monitoring and preventing any harassment of individuals filing complaints under the Equal Employment Opportunity/Affirmative Action and Equal Opportunity in Service Delivery policies.

### **Employees and Volunteers:**

All employees and volunteers of the County have the responsibility for carrying out their assigned duties and providing County services without regard to race, color, ancestry, religion, national origin, political affiliation, sex, age, disability, marital status, arrest or conviction record, sexual orientation, disabled veteran or covered veteran status, membership in the National Guard or any other reserve component of the United States or State military forces, use or nonuse of lawful products off the employer's premises during non-working hours, or any other non-job-related factor.

## **VII. WORK FORCE AND UTILIZATION ANALYSIS**

The purpose of this section is to determine if the effects of employment policies and practices in general have resulted in equal employment opportunity-related problems. The objective is to perform various analyses, with respect to Brown County work force characteristics, and to identify areas in which certain groups of people may have been adversely affected. Toward this end, required and necessary information and data have been collected and presented in the following tables.

### **1. Equal Employment Opportunity/Affirmative Action Program Data**

#### **a. Table I: Affirmative Action Program Statistics for Brown County Recruitment Areas**

Population, labor force, and unemployment data for this area from which Brown County recruits are provided in this table, which separates total data figures into white and minority groups by sex. "Labor force" is defined as all those people employed, plus those unemployed who are actively seeking employment in the geographic recruitment area. "Work force" refers to all County employees considered as a group. Area labor force characteristics will be compared to Brown County work force characteristics to indicate minority and female representation in Table IV.

#### **b. Table II: Availability Data by Job Category**

Information concerning the availability of people with skills needed by Brown County is presented here to establish a benchmark to assess utilization. Listed are the numbers of experienced employed persons who are available to work in the various occupations or job categories and in the appropriate recruitment area for each category.

#### **c. Table IIIA and Table IIIB: Full-Time and Other-Than-Full-Time County Work Force by Job Category**

These tables separate the entire County work force into various job categories, as required by federal regulations. The numbers and percentages of employees in each category are listed by minority and sex status. Statistics in this table display the representation of men, women and minorities within each category of the Brown County work force.

d. Table IV: Availability vs. Total Brown County Work Force by Job Category Comparison

This table compares the Brown County availability data to the actual Brown County work force by job category. To be consistent with the availability data provided by the Department of Work Force Development report, the ethnic categories include both males and females.

e. Table V: Brown County Work Force Analysis by County Departments

This table provides a breakdown of County employees by department, race and sex.

f. Table VI: Women: Brown County Work Force vs. Brown County Labor Force

This table compares the percentage of women employed by Brown County with the percentage of women available in the labor force.

g. Table VII: Minorities: Brown County Work Force vs. Brown County Labor Force

This table compares the percentage of minorities employed by Brown County with the percentage of minorities available in the labor force.

**Table I**  
**AFFIRMATIVE ACTION STATISTICS**  
**FOR BROWN COUNTY RECRUITMENT AREAS**

	Male							Female							
	White	Hispanic	Black	American Indian & Alaskan	Asian	Other Minority*	Total Minority	White	Hispanic	Black	American Indian & Alaskan	Asian	Other Minority*	Total Minority	Total
<b>I. Population Data:</b>															
<u>Brown County</u>	103,249 44.2%	5,367 2.3%	1,044 0.4%	2,188 0.9%	2,332 1.0%	1,259 0.5%	12,190 5.2%	107,022 45.8%	3,772 1.6%	833 0.4%	2,782 1.2%	2,457 1.1%	1,384 0.6%	11,228 4.8%	233,689 100%
Handicapped Estimate:	17,957														
<u>State of Wisconsin</u>	2,369,237 43.2%	105,627 1.9%	134,268 2.4%	22,393 0.4%	41,603 0.8%	30,687 0.6%	334,578 6.1%	2,438,438 44.5%	89,368 1.6%	155,165 2.8%	23,893 0.4%	43,874 0.8%	30,267 0.55%	342,567 6.2%	5,484,820 100%
Handicapped Estimate:	449,699														
<b>II. Labor Force Data:</b>															
<u>Brown County</u>	70,570 47.8%	3,620 2.5%	428 0.3%	1,048 0.7%	884 0.6%	636 0.4%	6,616 4.5%	63,779 43.2%	1,952 1.3%	543 0.4%	2,058 1.4%	1,199 0.8%	783 0.5%	6,535 4.4%	147,500 100%
Handicapped Estimate:	8,781														
<u>State of Wisconsin</u>	1,482,238 47.8%	62,247 2.0%	44,242 1.4%	10,830 0.3%	17,524 0.6%	15,207 0.5%	87,803 2.8%	1,280,796 41.3%	41,765 1.3%	87,025 2.8%	16,630 0.5%	23,240 0.7%	18,856 0.6%	58,726 1.9%	3,100,600 100%
Handicapped Estimate in Labor Force-State of Wisconsin: 202,735															
<b>III. Unemployment Data:</b>															
<u>Brown County</u>	3,332 46.1%	502 6.9%	17 0.2%	122 1.7%	103 1.4%	75 1.0%	819 11.3%	2,052 28.4%	276 3.8%	138 1.9%	392 5.4%	144 2.0%	75 1.0%	1,025 14.2%	7,228 100%
<u>State of Wisconsin</u>	84,914 49.5%	5,868 3.4%	7,712 4.5%	1,603 0.9%	1,212 0.7%	1,526 0.9%	17,921 10.4%	45,208 26.4%	4,361 2.5%	13,532 7.9%	2,078 1.2%	1,564 0.9%	1,944 1.1%	23,479 13.7%	171,522 100%

\*Other Minority includes Hawian & Pacific islander, Other Race, and Two or more races

Source of Data-2004-2005 Affirmative Action Data for Wisconsin, Department of Workforce Development  
10/7/2005

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**Table II**  
**AVAILABILITY DATA BY JOB CATEGORY**

<b>Categories:</b>	<b>Total *</b>	<b>White*</b>	<b>Hispanic*</b>	<b>Black*</b>	<b>Native American*</b>	<b>Asian*</b>	<b>Other Minority*</b>	<b>Total Minorities*</b>	<b>Total Females</b>
<b>Officials &amp; Administrators</b>									
A. Brown County	13,413 100%	12,912 96.3%	114 0.8%	18 0.1%	224 1.7%	105 0.8%	40 0.3%	501 3.7%	5,521 41.2%
B. State of Wisconsin	308,935 100%	292,459 94.7%	3,771 1.2%	7,030 2.3%	2,294 0.7%	2,569 0.8%	812 0.3%	16,476 5.3%	116,579 37.7%
<b>Professionals</b>									
A. Brown County	20,615 100%	19,632 95.2%	258 1.3%	46 0.2%	302 1.5%	318 1.5%	59 0.3%	983 4.8%	12,172 59.0%
B. State of Wisconsin	476,613 100%	441,384 92.6%	7,419 1.6%	12,598 2.6%	3,079 0.6%	10,883 2.3%	1,250 0.3%	35,229 7.4%	268,504 56.3%
<b>Technicians</b>									
A. Brown County	2,701 100%	2,588 95.8%	33 1.2%	14 0.5%	18 0.7%	34 1.3%	14 0.5%	113 4.2%	1675 62.0%
B. State of Wisconsin	66,742 100%	61,909 92.8%	1,192 1.8%	2,169 3.2%	485 0.7%	771 1.2%	216 0.3%	4,833 7.2%	41,716 62.5%
<b>Admin. Support</b>									
A. Brown County	21,533 100%	20,552 95.4%	284 1.3%	175 0.8%	370 1.7%	110 0.5%	42 0.2%	981 4.6%	16,899 78.5%
B. State of Wisconsin	453,280 100%	413,005 91.1%	9,438 2.1%	21,480 4.7%	4,354 1.0%	3,818 0.8%	1,185 0.3%	40,275 8.9%	353,492 78.0%
<b>Craft Workers</b>									
A. Brown County	12,700 100%	12,023 94.7%	230 1.8%	103 0.8%	224 1.8%	78 0.6%	42 0.3%	677 5.3%	834 6.6%
B. State of Wisconsin	284,261 100%	267,368 94.1%	5,954 2.1%	5,959 2.1%	2,995 1.1%	1,418 0.5%	567 0.2%	16,893 5.9%	16,622 5.8%
<b>Service/Maintenance Workers (includes Protective Service Workers, Laborers &amp; Helpers)</b>									
A. Brown County	20,892 100%	18,328 87.7%	1,078 5.2%	166 0.8%	1,014 4.9%	237 1.1%	69 0.3%	2,564 12.3%	10,783 51.6%
B. State of Wisconsin	524,251 100%	452,830 86.4%	22,644 4.3%	33,120 6.3%	9,301 1.8%	6,211 1.2%	145 0.0%	71,421 13.6%	278,358 53.1%

\*Includes Males and Females

Source of Data - 2004--2005 Department of Workforce Development-2000 Census Special EEO File

10/3/2005

**TABLE IIIA  
FULL-TIME COUNTY WORKFORCE**

FEMALE											
CATEGORIES:	MALE					FEMALE					
	White	Hispanic	Black	N. American	Asian	White	Hispanic	Black	N. American	Asian	Totals
Officials/Admin.	15 75.0%	0 0.0%	0 0.0%	0 0.0%	1 5.0%	4 20.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	20 100%
Professionals	132 34.3%	0 0.0%	1 0.3%	0 0.0%	3 0.8%	246 63.9%	1 0.3%	0 0.0%	0 0.0%	2 0.5%	385 100%
Technicians	33 63.5%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	19 36.5%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	52 100%
Protective Service Workers	191 74.9%	0 0.0%	1 0.4%	0 0.0%	3 1.2%	60 23.5%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	255 100%
Admin. Support	64 12.6%	0 0.0%	0 0.0%	2 0.4%	1 0.2%	435 86.0%	2 0.4%	0 0.0%	0 0.0%	2 0.4%	506 100%
Craft Workers	101 94.4%	0 0.0%	0 0.0%	2 1.9%	0 0.0%	4 3.7%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	107 100%
Service/Maintenance *	32 44.4%	0 0.0%	0 0.0%	2 2.8%	0 0.0%	36 50.0%	2 2.8%	0 0.0%	0 0.0%	0 0.0%	72 100%
TOTALS:	568 40.7%	0 0.0%	2 0.1%	6 0.4%	8 0.6%	804 57.6%	5 0.4%	0 0.0%	0 0.0%	4 0.3%	1397 100%

Brown County Workforce as of September 29, 2005.  
10/5/2005

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**TABLE IIIB  
OTHER THAN FULL-TIME COUNTY WORKFORCE**

FEMALE											
CATEGORIES:	MALE					FEMALE					
	White	Hispanic	Black	N.American	Asian	White	Hispanic	Black	N.American	Asian	Totals
Officials/Admin.	1 100.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	1 100%
Professionals	33 39.8%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	50 60.2%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	83 100%
Technicians	1 12.5%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	7 87.5%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	8 100%
Protective Service	14 63.6%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	8 36.4%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	22 100%
Admin. Support	47 18.3%	2 0.8%	0 0.0%	0 0.0%	2 0.8%	201 78.2%	1 0.4%	1 0.4%	0 0.0%	3 1.2%	257 100%
Craft Workers	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 100%
Service/Maintenance	54 47.4%	1 0.9%	0 0.0%	1 0.9%	0 0.0%	58 50.9%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	114 100%
TOTALS:	150 30.9%	3 0.6%	0 0.0%	1 0.2%	2 0.4%	324 66.8%	1 0.2%	1 0.2%	0 0.0%	3 0.6%	485 100%

Brown County Workforce as of September 29, 2005.

10/5/2005

AADATA\Table3b-Cnty

**TABLE IV  
AVAILABILITY VS. TOTAL BROWN COUNTY WORK FORCE BY JOB CATEGORY COMPARISON**

<b>Categories:</b>	<b>Total</b>	<b>White*</b>	<b>Hispanic*</b>	<b>Black*</b>	<b>N.American</b>	<b>Asian</b>	<b>Total Females</b>
<b>Officials &amp; Administrators</b>							
A. Brown County Area	13,373	12,912	114	18	224	105	5,521
B. County Work Force	21	20	0	0	0	1	4
<b>Professionals</b>							
A. Brown County Area	20,556	19,632	258	46	302	318	12,172
B. County Work Force	468	461	1	1	0	5	299
<b>Technicians</b>							
A. Brown County Area	2,687	2,588	33	14	18	34	1,675
B. County Work Force	60	60	0	0	0	0	26
<b>Admin. Support</b>							
A. Brown County Area	21,491	20,552	284	175	370	110	16,899
B. County Work Force	763	747	5	1	2	8	645
<b>Craft Workers</b>							
A. Brown County Area	12,658	12,023	230	103	224	78	834
B. County Work Force	107	105	0	0	2	0	4
<b>Service/Maintenance Workers(Includes Protective Service Workers, Laborers &amp; Helpers)</b>							
A. Brown County Area	20,823	18,328	1,078	166	1,014	237	10,783
B. County Work Force	463	453	3	1	3	3	164

\*Includes Males and Females

Source of Area Data: 2004-2005 Department of Workforce Development - 2000 Census Special EEO file

10/7/2005

AAData\Table4-Cnty

**TABLE V**  
**BROWN COUNTY WORK FORCE ANALYSIS BY COUNTY DEPARTMENTS**

Department	Total	Female	Male	Caucasian	Native Am.	Hispanic	Asian	Black
Administration	19	14	5	19				
Airport	26	7	19	25	1			
Child Support	37	37	0	37				
Circuit Courts	48	28	20	48				
Clerk of Courts	37	34	3	37				
Corp. Counsel	9	6	3	9				
County Board	7	7	0	7				
County Clerk	6	6	0	6				
County Executive	3	3	0	3				
District Attorney	23	19	4	23				
Facilities Mgmt.	57	22	35	54	1	2		
Golf Course	19	0	19	19				
Health Dept.	43	34	9	38		2	3	
Highway	112	11	101	112				
Human Resources	14	10	4	14				
Human Services	589	451	138	566	2	5	11	5
Info. Services	16	11	5	16				
Land Conservation	15	4	11	15				
Library	124	108	16	123			1	
Medical Examiner	11	4	7	11				
Museum	13	6	7	13				
New Zoo	39	31	8	39				
Parks	33	11	22	31	1	1		
Planning	9	1	8	9				
Port/Solid Waste	12	4	8	12				
Property Listing	7	3	4	7				
Public Safety	68	59	9	68				
Register of Deeds	15	15	0	15				
Sheriff	307	82	225	303			3	1
Treasurer	11	8	3	11				
U.W.Extension	32	21	11	32				
Veteran Services	6	5	1	6				
Zoning	5	1	4	5				
<b>Totals:</b>	<b>1772</b>	<b>1063</b>	<b>709</b>	<b>1733</b>	<b>5</b>	<b>10</b>	<b>18</b>	<b>6</b>

Brown County employee data as of August 4, 2005  
Tables IIIA, IIIB, IV, and VII are based on the EEO-4 Report.

AADData\Table5

**TABLE VI**  
**WOMEN: Brown County Work Force vs Brown County Labor Force**

<b>Job Category</b>	<b>Percent Employed by Brown County</b>	<b>Percent in Labor Market</b>
Officials and Administrators *	19%	38%
Professionals *	64%	56%
Technicians	43%	62%
Administrative Support	85%	79%
Craft	4%	7%
Service/Maintenance	35%	52%

**TABLE VII**  
**HISPANICS AND OTHER MINORITIES**  
**Brown County Work Force vs Brown County Labor Force**

<b>Job Category</b>	<b>Percent Hispanics Employed by Brown County</b>	<b>Percent Hispanics in Labor Market</b>	<b>Percent Other Minorities Employed by Brown County</b>	<b>Percent Other Minorities in Labor Market</b>
Officials and Administrators *	0.0%	1%	0%	5%
Professionals *	0.2%	2%	1%	7%
Technicians	0.0%	1%	0%	4%
Administrative Support	0.7%	1%	1%	5%
Craft	0.0%	2%	2%	5%
Service/Maintenance	0.6%	5%	2%	12%

\* Job categories where State of Wisconsin labor force statistics are used due to the fact that recruitment efforts are typically statewide for positions within these categories.

Labor force data based on 2000 census.  
Brown County employee data based on September 2005 EEO Report

10/10/2005

AADATA\Table6,7-Cnty

## 2. Analysis of Existing Utilization and Availability of Males, Females Hispanics and Minorities

The focus of this analysis is to determine whether certain groups of people are under-represented in the Brown County work force. This is accomplished by comparing the composition of the current work force with the composition of the labor force in the relevant recruitment area. Here, under-represented is defined broadly as having fewer of a certain group in each job category than would reasonably be expected by their composition in the labor force. For under-representation not to exist requires the percentage representation of each sex, racial and ethnic group in all job categories to be similar between the work force and labor force. In addition, before such a determination can be made, availability data must also be examined. More specifically, under-utilization is defined as having fewer minorities and women in a particular category than would reasonably be expected, based on their availability. Under-utilization is an employment level that is less than 80% of availability (determined by the Firestone Tire and Rubber Company Case – 1981). These comparisons will be taken for each job category.

### a. Utilization and Availability Data for Brown County

Table I indicates that the population of Brown County is comprised of 44.2% white males, 2.3% Hispanic males, 2.9% other minority males, 45.8% white females, 1.6% Hispanic females, and 3.2% other minority females.

The labor force, however, from which prospective employees are selected is comprised of 47.8% white males, 2.5% Hispanic males, 2% other minority males, 43.2% white females, 1.3% Hispanic females and 3.1% other minority females.

Since Hispanic males and females comprise greater than 2% of the labor force, Hispanics will be considered separately from the other minorities for purposes of this analysis.

Thus, the composition of the County labor force, in total, should be 47.8% white males, 43.2% white females, 3.8% male and female Hispanics and 5.1% male and female other minorities. This representation should vary by job category, dependent upon the geographic area from which employees are recruited. Unemployment data for 2004-2005 indicates that there are 3,332 white males, 502 Hispanic males, 2,052 white females, 276 Hispanic females and 1,066 other minority males and females available for work in Brown County. It should be recognized that although Hispanics and other minorities comprise a relatively small percentage of the labor force in Brown County, 14.2%, the percentage of unemployed Hispanics is 10.7% and other minorities is 14.7%.

### b. Utilization and Availability Analysis of County Work Force by Job Category

Full time County work force statistics (Table IIIA) indicate that the utilization of males, females, Hispanics and other minorities is incongruous with their representation in the labor force in many job categories.

White females represent 57.6% of the full-time Brown County work force. In three job categories they comprise 50% or more of the work force: Professionals and Administrative Support and Service/Maintenance. Females are represented in all categories.

Hispanics represent .4% of the Brown County work force and other minorities represent 1.4% of the full-time Brown County work force. Hispanics comprise 2.8% of the Service/Maintenance Category and other minorities comprise 2.8% of the Service/Maintenance category. Minorities are not represented in the Technicians category and are underrepresented in all other categories.

Part time County work force statistics (Table IIIB) indicate that there are a total of 485 employees as of September, 2005.

White females represent 66.8% of the Brown County part-time work force. In four of the six job categories they comprise more than 50% of the part-time work force. Females are represented in all categories with the exception of Craft Workers.

Hispanics represent .8% of the part-time work force and other minorities represent 1.4% of the Brown County part-time work force. Hispanics comprise 1.2% of Administrative Support Category and .9% of the Service/Maintenance category. They are not represented in any other part-time categories. Other minorities comprise 1.4% of the part-time work force. Other minorities are represented in Administrative Support and Service/Maintenance Categories.

The majority of the part-time employees represented are temporary and seasonal employees who perform various recreational and laborer type positions during the summer season.

Statements concerning utilization can only be made after consideration of availability data provided in Tables I and II. It is indicated in these tables that employed males, females, and minorities with requisite skills are available in most occupational categories statewide, but within Brown County they are not nearly as available. Comparatively, a large number of unemployed persons do not exist in Brown County in any of the categories. It can be concluded that for all job categories there are more females and minorities available through the statewide recruitment area than in Brown County. Thus, special recruitment efforts may be called for with these categories. In all job categories white males and females appear to be available; however, minorities are not, relatively speaking. Thus, the representation and utilization of white males and females is expected to be achieved, but there may be difficulties in recruiting minorities to apply for them due to availability, or lack thereof. Again, special recruitment efforts may be necessary.

Review of Tables VI and VII and utilizing the 80% ratio, (an employment level that is less than 80% of availability) confirm the above conclusions. Based on analysis of Table VI, it can be concluded that females are under-utilized in all categories except Professionals and Administrative Support. Based on Analysis of Table VII, it can be concluded that Hispanics and other minorities are under-utilized in all categories.

## **VIII. ANALYSIS & DEVELOPMENT OF BROWN COUNTY HUMAN RESOURCES SYSTEM: PROBLEM IDENTIFICATION**

Equal opportunity can be provided through the development of Human Resources policies and practices which are fair and equitable in their treatment of current and potential employees. In order to attain such standards, an assessment of current policies and practices must be continuously undertaken. The components normally included in such an assessment are in the areas of recruitment and selection, which includes written and skill tests, interviews, qualification and reference inquiries, training, promotion, classification, corrective action, transfer, termination, and other conditions of employment. Affirmative action can be taken in these areas to provide a Human Resources system that accommodates the principles and theory of equal opportunity.

1. The effectiveness of a successful recruitment and selection program with regard to affirmative action can be determined by examining the make up of applicants for position vacancies and by conducting an audit of the applicant flow through each step of the selection process for position openings within various job categories. Records for these processes have been established and maintained by sex, race/ethnic groups, and age. Similar records have been established for each County department, job classification, and pay range. In addition, documentation for other personnel actions such as transfers, promotions and terminations has been established. Such documentation can then be used to determine if there are discriminatory or adverse effects in the administration of any Human Resources related actions.
2. In addition to recordkeeping systems, special efforts must be exerted to recruit qualified under-represented applicants for job categories in which individuals are under-represented per the analyses in Section VII. Brown County has maintained and enlarged recruitment efforts. The Human Resources Department should make an affirmative effort in its recruitment for women and minorities for under-represented positions.
3. The validity, reliability and objectivity of selection devices, including written tests, interview questions, background and reference checks, need to be continuously reviewed and refined in accordance with the guidelines. These devices, in order to be lawful, should be job-related and should eliminate adverse effects on groups that are under-represented in Brown County in particular job classifications.
4. Opportunities for training, promotions and the like should be equally offered without regard to non-merit factors. Systematic efforts to discover employees with potential and develop them through career advancement in both the classroom and on the job need to be developed. Such training programs can be used as a vehicle to advance persons to job categories in which they are under-represented, but it would also assure that employees are trained as needed to assure high quality performance.
5. Job-related performance appraisal procedures should be examined and revised if necessary. Appropriate procedures are necessary to ensure that persons who are the most qualified are directly affected by decisions of permanent appointment, promotions, salary advancement, lay off and recall order, training and re-employment, and other conditions of employment.
6. The classification and compensation plan for non-represented employees needs to be continuously evaluated to ensure the provision of equitable and adequate compensation. This would include updating job descriptions when significant changes in duties occur and conducting salary surveys to ensure salaries are competitive to recruit and retain competent employees.

## **IX. THE BROWN COUNTY AFFIRMATIVE ACTION PLAN: GOALS AND TIMETABLES**

In accordance with the Standards and Uniform Guidelines, an affirmative action program should include a systematic action plan and affirmative steps to remedy potential problem situations. Goals and timetables were formulated as follows to correct disparities and problems identified in the preceding analyses.

1. a) Target Date: Continuous

As position openings occur, notify County employees and other sources of persons who are under-represented in the County work force, including notifying groups and agencies which assist or represent the disabled, females and minorities (in the job category of that particular opening) of the employment opportunity. Encourage qualified candidates to apply.

b) Target Date: (Continuous)

Take appropriate action, such as visiting/speaking before groups, to achieve a representative full time work force by striving to place qualified (see Table IV):

- females as Officials/Administrators;
- females as Technicians
- females as Craft Workers;
- females as Service/Maintenance Workers;
- minorities as Officials/Administrators;
- minorities as Professionals;
- minorities as Technicians;
- minorities as Service/Maintenance Workers;
- take appropriate action to recruit and hire qualified individuals with disabilities in jobs in which reasonable accommodation can be attained.

2. Target Date: Continuous

Continue to provide equal employment opportunities for all qualified persons without regard to race, color, ancestry, religion, national origin, political affiliation, sex, age, disability, marital status, arrest or conviction record, sexual orientation, disabled veteran or covered veteran status, membership in the National Guard or any other reserve component of the United States or State military forces, use or nonuse of lawful products off the employer's premises during non-working hours, or any other non-merit factors, except where such factors constitute a bona fide occupational qualification.

3. Target Date: (Long Term - Continuous)

Continue to provide equal employment opportunities in job structuring, classification, promotion, recruitment, selection, appointment, placement, testing, training, layoff and recall, and salary and benefit administration.

4. Target Date: Continuous

Review issues that are brought to the attention of the Human Resources Department in the exit interview process that relate to affirmative action issues, while maintaining the confidentiality of the individual providing the information (unless otherwise directed).

5. Target Date: Continuous  
Research materials available and coordinate efforts with area communities regarding cultural diversity training in the work force on a continuous basis.
6. Target Date: Continuous  
Continue to evaluate classification specifications and position descriptions to determine the job relatedness of the minimum training and experience requirements, to identify and remove any artificial barriers to employment.
7. Target Date: March, June, September, December of each year  
Human Resources Department reports to Affirmative Action Committee, which analyzes selection results. Data to be reported will be determined by the Affirmative Action Committee.
8. Target Date: September 2006 and September 2007  
Review the achievement of these goals. Conduct necessary analysis to identify further problem areas. Establish an action plan to address problems identified.
9. Target Date: December 2006  
Review the Brown County Human Resources Department policies regarding hiring/selection to assure conformance with the Affirmative Action Plan.

## **X. SUPPLEMENTARY DOCUMENTATION OF GOAL ACHIEVEMENTS**

Based on the analysis of present versus past County operations, it can be noted that several human resources management systems have been implemented to provide for Equal Employment Opportunity and Affirmative Action.

1. Continuous revision of the County's application form to conform to applicable laws and regulations.
2. The development and continued use of forms to track applicants and employees through selection procedures.
3. Development and continued use of forms to track promotions, transfers, discipline, terminations, and training programs.
4. The development and continued utilization of job related selection devices for County positions.
5. The expansion of recruiting and resources through varied recruitment methods.
6. The development and adoption of a County policy prohibiting sexual harassment and the provision of training to all county employees in the policy, concepts and myths regarding sexual harassment, and continuous training of all new County employees.
7. The incorporation of the Affirmative Action Committee as the County's section 504 Committee with the attendant rules and regulations of Section 503 and 504 of the Rehabilitation Act of 1973.
8. The completion of handicapped accessibility audits for all county buildings and subsequent modifications have been made to comply with Section 504 requirements in county facilities.

## **XI. GRIEVANCE PROCEDURE**

It is the policy of Brown County to treat all employees and applicants fairly and equitably in all phases of employment without regard to race, color, ancestry, religion, national origin, political affiliation, sex, age, disability, marital status, arrest or conviction record, sexual orientation, disabled veteran or covered veteran status, membership in the National Guard or any other reserve component of the United States or State military forces, use or nonuse of lawful products off the employer's premises during non-working hours, or any other non-merit factors, except where such factors constitute a bona fide occupational qualification. Each employee who feels he/she has been discriminated against in matters affecting their employment with regard to such factors has the right to present his/her grievance in accordance with the following established grievance procedure. The filing of a grievance by an employee will not reflect unfavorably on his standing, performance, loyalty or desirability to public service and shall be without fear of reprisal. Applicants may initiate discrimination appeals at Step 3 of this procedure.

### **Proposed Complaint Process:**

- Step 1: Whenever possible, grievances should be resolved informally and any employee who feels unjustly discriminated against should discuss their complaint verbally with their supervisor within 10 days of the occurrence of the alleged discriminatory practice. The employee's supervisor has five days to meet with the employee and make all reasonable efforts to resolve the grievance.
- Step 2: If the employee is unsatisfied with the supervisor's disposition of the case, or if there is no response from the supervisor, the employee may within five days prepare and submit to his/her department head a written statement setting forth the alleged discriminatory practice, including a description of the remedied action being sought and any information available to support the claim. The department head shall within five days meet with the employee to resolve the grievance, and within ten days thereafter prepare a written reply.
- Step 3: If the department head's decision does not satisfy the employee's grievance, the employee may within five days present his/her grievance in writing to the County's Affirmative Action Officer. Applicants who allege discrimination may initiate their appeal with the Affirmative Action Officer. The Affirmative Action Officer, or designee, will schedule a consultation session with the grievant within 10 working days. The Affirmative Action Officer, or designee, will render a written determination of the grievance within 30 days to the employee and the employee's department head, or to the applicant.
- Step 4: In the event the grievance is unresolved through previous steps, the employee or applicant may, within five working days, file a formal written appeal with the Affirmative Action Committee. The Committee shall convene within 30 days of receipt of the complaint, to review the written record and interview any individuals involved with the case. The committee will report to the Human Resources Director. Upon receipt of the Affirmative Action Committee's report, the Human Resources director will have 10 working days to send out a written determination to the individual making the complaint.

**Note:** Employees who feel they have been sexually harassed or discriminated against are encouraged to immediately notify either their immediate supervisor, department head, Affirmative Action Officer or Human Resources Representative.

## **XII. BROWN COUNTY EMPLOYMENT DISCRIMINATION COMPLAINT FORM**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Complaint Basis: \_\_\_\_\_

(Such as: race, color, ancestry, religion, national origin, political affiliation, sex, age, disability, marital status, arrest or conviction record, sexual orientation, disabled veteran or covered veteran status, membership in the National Guard or any other reserve component of the United States or State military forces, use or nonuse of lawful products off the employer's premises during non-working hours.)

DESCRIPTION of action or treatment that is seen as being discriminatory. Please include dates, names, and titles whenever possible. Attach additional sheets as necessary.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Note:** Please contact the Human Resources Department at 448-4065 and ask for the Affirmative Action Officer if you would like assistance in completing this form.

A motion was made by Supervisor Fewell and seconded by Supervisor Clancy **“to adopt”**. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by:       /s/ Carol Kelso, County Executive       Date: 1/10/2006

### **No. 9b -- RESOLUTION REGARDING: APPROVING HUMAN RESOURCES RECRUITMENT AND SELECTION POLICY, NUMBER HR 15**

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE  
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, Brown County is committed to hiring the best qualified candidates possible, both internally or externally, while remaining compliant with Affirmative Action policies; and

WHEREAS, the Brown County Human Resources Department has developed a policy on internal/external posting of all County positions, with the focus being on creating no impropriety; and

WHEREAS, the following is submitted as Brown County's Recruitment and Selection policy:

## **RECRUITMENT AND SELECTION**

**NUMBER:** HR 15

**DEFINITION:** Recruitment and selection is the process of selecting and placing qualified individuals in open regular full-time and regular part-time positions with Brown County. Placements include new-hires, promotions, and demotions. This policy shall not apply to placements of County Executive appointments, constitutional officers, and statutory officers.

**POLICY:** Brown County shall recruit and select the most qualified individuals for positions in the County's service. Hiring authorities shall give due consideration to current County employees, and County employees on layoff status, per the Brown County Code of Ordinances. Recruitment and selection shall be in accordance with the Brown County Code of Ordinances, and consistent with all applicable fair employment laws and County Affirmative Action goals.

**PROCEDURE:** Approval

The department head ensures completion of the A-1 Request to Fill form. The completed form authorizes the recruiting process to begin.

### Recruitment

The department representative is responsible for working closely with the appropriate Human Resource representative to ensure adherence to fair employment practices and Brown County Code of Ordinances.

### Job Postings

Existing position vacancies will be posted within the County for a minimum of 7 business days to allow qualified County employees to apply. Human Resources may determine a need to consider additional qualified candidates by posting the open position externally, on at least the Brown County website and the County open positions list for a minimum of 5 business days.

Open positions that are covered by a collective bargaining agreement will follow the provisions of the agreement that apply to the position posting process.

### External Announcement of Opportunities

The HR representative will coordinate external announcements of Brown County Job Opportunities, to ensure efficient communication of the opportunity, to ensure fair employment opportunity, and to help in Affirmative Action communication efforts.

### Testing

Some positions require a passing test score to be a qualified candidate. The Human Resource department will consistently administer and score employment related tests. The Human Resource department will work with the Sheriff's department to administer and score Law Enforcement testing.

### Candidate Review

At the close of the recruiting period, the HR representative will forward the applications of qualified candidates to the hiring authority for review.

### Candidate Interviews

The hiring authority will conduct interviews with the participation of a Human Resource representative. The hiring authority will work closely with the HR representative to develop interview questions and guides that are job-related. The HR representative will ensure availability of training regarding legal and effective interviewing skills.

### Pre-employment Policies

Prior to an offer of employment, the HR representative will ensure completion of the appropriate Background Check and completion of three satisfactory Reference responses. All employment offers are made contingent on successfully passing a Drug Screen during the probationary period, and successfully passing any other exam that is job related and may be required by a specific position.

### Selection

The final candidate will be contacted by the Human Resource representative, with the written offer of employment initiated by the Human Resource department.

Effective November 2005      Replaces HR 10, dated 1-1-93

NOW, THEREFORE, BE IT RESOLVED, by the Brown County Board of Supervisors that it hereby approves HR 15, the Recruitment and Selection policy of the Brown County Human Resources Department.

Respectfully submitted,  
ADMINISTRATION COMMITTEE

A motion was made by Supervisor Beyl and seconded by Supervisor Van Deurzen **"to adopt"**. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by:           /s\ Carol Kelso, County Executive          

Date: 1/10/2006

No. 9c -- **RESOLUTION REGARDING: SUPPORTING PASSAGE OF ASSEMBLY  
BILL 257 AND SENATE BILL 126 PERTAINING TO PUBLISHING  
REQUIREMENTS FOR ORDINANCES**

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE  
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, Assembly Bill 257 and its companion, Senate Bill 126, have been introduced in the State Legislature; and

WHEREAS, these two pieces of legislation propose that cities, villages, towns, sanitary districts and counties would have the option of either publishing an ordinance in its entirety, or simply publishing a summary of the ordinance and information as to where people can obtain a full text version of the ordinance; and

WHEREAS, if these Bills are passed, Brown County would save a substantial amount in newspaper publishing costs on an annual basis; and

WHEREAS, for example, in September, 2005, an amendment to the Shorelands-Wetlands and Floodplains sections of the Brown County Code of Ordinances required publication costs of approximately \$3,790; and

WHEREAS, the County Clerk's budget for publication of County Board legal notices in 2005 is \$10,000, and publication of the ordinance changes described above accounted for 38 percent of the entire 2005 budget; and

WHEREAS, the information that is currently required to be published in a newspaper is also currently available 24 hours per day, seven days per week, on the Brown County website; and

NOW, THEREFORE, BE IT RESOLVED that the Brown County Board of Supervisors supports passage of AB247 and SB126; and

BE IT FURTHER RESOLVED, that a copy of this resolution be transmitted by the Brown County Clerk to all legislators representing constituents within Brown County; to the Wisconsin Counties Association; and to the Office of Governor James Doyle.

Respectfully submitted,  
ADMINISTRATION COMMITTEE  
EXECUTIVE COMMITTEE

A motion was made by Supervisor Collins and seconded by Supervisor Beyl **"to adopt"**. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by:           \s\ Carol Kelso, County Executive          

Date: 1/11/2006

No. 9d -- **ORDINANCE REGARDING: TO AMEND SECTION 8.23 OF THE BROWN COUNTY CODE ENTITLED "GOLF COURSE"**

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE  
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

The Brown County Board of Supervisors does ordain as follows:

Section 1: Subsection (2)(b) of the Section 8.23 of the Brown County Code entitled "Golf Course", is hereby amended to read as follows:

(b) Fee amounts shall be established through budgetary process and shall be substantially based on an analysis of the five criteria listed above. Additionally, the Golf Course Superintendent shall be delegated the authority to temporarily lower County Golf Course fees to amounts necessary to maintain revenues when the Course opens in the Spring if Winter kill has caused poor playing conditions and as warranted to promote rounds of play during slow periods such as early morning and late evenings and in the Spring and Fall with concurrence of the Chair or vice Chair of the Education and Recreation Committee to temporarily lower County Golf Course Fees. \*\*

\*\* This ordinance was amended as per the County Board on 12/21/2005.

Section 2: This ordinance shall become effective upon passage and publication.

Respectfully submitted,  
EDUCATION AND RECREATION COMMITTEE

A motion was made by Supervisor Johnson and seconded by Supervisor Erickson **"to adopt"**. After discussion, a motion was made by Supervisor Zima and seconded by Supervisor Van Den Heuvel **"to refer back to committee"**. Vote taken. Roll Call #9d(1):

Ayes: Haefs, Erickson, Zima, Evans, Frohna, Collins, Moynihan, Zabel

Nays: Van Den Heuvel, Graves, Nicholson, Theisen, Krueger, Vander Leest, Johnson, Dantinne, Beryl, Backmann, Van Deurzen, Fleck, Clancy, Scray, Hinz, Lund, Fewell

Excused: Kaye

Total Ayes: 8                      Total Nays: 17                      Excused: 1

Motion to refer defeated.

A motion was made by Supervisor Collins and seconded by Supervisor Johnson **"to amend the motion by adding: authority with concurrence of the Chair or Vice Chair of the Education and Recreation Committee to temporarily lower County Golf Course Fees. (remove following lines.)"** Vote taken. Roll Call #9d(2):

Ayes: Van Den Heuvel, Graves, Nicholson, Theisen, Krueger, Erickson, Vander Leest, Johnson, Dantine, Collins, Beyl, Backmann, Van Deurzen, Fleck, Clancy, Moynihan, Scray, Hinz, Lund, Fewell

Nays: Haefs, Zima, Evans, Frohna, Zabel

Excused: Kaye

Total Ayes: 20 Total Nays: 5 Excused: 1

Motion carried.

Approved by: \s\ Carol Kelso, County Executive Date: 1/10/2006

**No. 9e -- RESOLUTION REGARDING: THANKING ZOOLOGICAL SOCIETY FOR THE PROJECTS THEY HAVE FUNDED**

WHEREAS, the NEW ZOOLOGICAL SOCIETY is a nonprofit organization committed to the preservation and enhancement of the NEW Zoo, and

WHEREAS, the NEW Zoological Society has funded the following projects since January 2005: Duck Acquisition - \$404.56; Education Salary - \$8,961.90; Alligator Shipping - \$638.80; Porcupine Acquisition - \$169.56; Giraffe Acquisition - \$130,376.50; Conservation Meter - \$2,085.00; Website - \$1,646.60; International Species Information Systems - \$810.20; \$4,550.00; Subscription/Dues - \$1,389.31. The total funded projects since January 2005 is \$152,811.33.

NOW, THEREFORE, BE IT RESOLVED by the Brown County Board of Supervisors that it hereby expresses its appreciation to the NEW ZOOLOGICAL SOCIETY for its contributions to quality family activities in Brown County, Wisconsin.

\s\ Patrick Moynihan, Jr.  
Chairman

\s\ Daniel Haefs  
Vice Chairman

Bernie Erickson  
Mary Scray  
Norbert Dantine, Jr.  
William M. Clancy  
Pat J. Collins  
Joe Backmann  
Thomas Lund  
Mike Fleck  
Thomas J. Hinz  
Joseph Van Deurzen  
Jack Krueger  
John Vander Leest

Steven Fewell  
Michael Frohna  
Christopher Zabel  
Fred Graves, Jr.  
Craig Beyl  
Patrick M. Evans  
Earl Van Den Heuvel  
Andy Nicholson  
Kathy Johnson  
Anthony Theisen  
Harold C. Kaye  
Guy Zima

In Witness Whereof, I have hereunto set my hand and caused the seal of the County of Brown to be affixed. Done at the City of Green Bay, this 18<sup>th</sup> day of January, in the year 2006.

\s\ Darlene K. Marcelle  
Brown County Clerk

A motion was made by Supervisor Zabel and seconded by Supervisor Fleck **“to adopt”**. Voice vote taken. Motion carried unanimously with no abstentions.

A motion was made by Supervisor Haefs and seconded by Supervisor Krueger **“to adopt Resolutions #9f, #9g, #9h, #9i, and #9j with one vote.”** Voice vote taken. Motion carried unanimously with no abstentions.

**No. 9f -- RESOLUTION REGARDING: IN SUPPORT OF 2005 ASSEMBLY BILL 790: FUNDING FOR BILLS IMPOSING STATE MANDATES**

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE  
BROWN COUNTY BOARD OF SUPERVISORS

Ladies & Gentlemen:

WHEREAS, 2005 Assembly Bill 790 would prohibit the Assembly or Senate from passing legislation that would create local government mandates unless sufficient funding is appropriated to support the full costs of supporting these mandates.

WHEREAS, after public meeting and due consideration, the Legislative Committee has recommended a Resolution by Brown County in support of 2005 Assembly Bill 790.

NOW, THEREFORE, BE IT RESOLVED, that the Brown County Board of Supervisors does approve and authorize the Resolution in support of 2005 Assembly Bill 790.

Respectfully submitted,  
LEGISLATIVE COMMITTEE  
EXECUTIVE COMMITTEE

Approved by: \s\ Carol Kelso, County Executive Date: 1/10/2006

**No. 9g -- RESOLUTION REGARDING: REQUESTING GOVERNOR AND STATE LEGISLATORS ENACT LEGISLATION TO RE-EMPHASIZE THE TRANSPORTATION USER FEE CONCEPT THUS SEGREGATING FUEL TAX REVENUES AND VEHICLE REGISTRATION FEES SPECIFICALLY FOR THE TRANSPORTATION FUND**

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE  
BROWN COUNTY BOARD OF SUPERVISORS

Ladies & Gentlemen:

WHEREAS, few people realize that an amount equal to about one-third of the state's 29.1 cent per gallon fuel tax is being used this year for non-transportation purposes; and

WHEREAS, the previous state budget transferred \$675 million from the Transportation Fund to help address the General Fund's \$3.2 billion deficit. \$524 million was restored, not with fuel tax revenues, but through bonding adding to Wisconsin's "negative" AA3 Moody's rating; and

WHEREAS, the 2005-2007 States Biennium Budget also calls for transferring over \$600 million from the Transportation Fund to the General Fund and replacing a portion of those funds again through bonding. The budget is "balanced" with over \$1 billion of one-time monies, fund transfers and accounting shifts to the next biennium; and

WHEREAS, Wisconsin's Transportation Fund has traditionally been "segregated" from the General Fund because of the user fee concept; and

WHEREAS, maintaining and rebuilding the State's highway infrastructure and bridges is vital to the state, counties and all municipalities to support commerce and tourism. We must maintain the quality of roads to provide safe transportation of not only goods and services, but for the citizens of the state.

NOW, THEREFORE, BE IT RESOLVED, that Brown County Board of Supervisors, in support of all counties of the state, request that the Governor and State Legislators enact legislation to re-emphasize the transportation user fee concept, thus segregating fuel tax revenues and vehicle registration fees specifically for the Transportation Fund; and

NOW, BE IT FURTHER RESOLVED, that a copy of this resolution be conveyed to the Governor, Legislators representing Brown County and to all other counties of the state.

Respectfully submitted,  
LEGISLATIVE COMMITTEE  
EXECUTIVE COMMITTEE

Approved by: \s\ Carol Kelso, County Executive

Date: 1/10/2006

**No. 9h -- RESOLUTION REGARDING: OPPOSITION OF 2005 ASSEMBLY BILL 575 CLASSIFYING SOCIAL WORKERS AS PROTECTIVE OCCUPATION PARTICIPANTS IN THE WISCONSIN RETIREMENT SYSTEM**

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE  
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, 2005 Assembly Bill 575 would specifically classify social workers as protective occupation participants; and

WHEREAS, the State of Wisconsin has had a long history of collective bargaining between counties and their respective employees, and this collective bargaining resulted in a process whereby bargaining units and county employers engage in labor negotiations regarding such topics; and

WHEREAS, it is a much more efficient process if county employers and bargaining units are able to negotiate whether certain positions are protective status qualified; and

WHEREAS, a bill introducing protective status for social workers is an expensive and financially exponential benefit; and

WHEREAS, this would increase contribution to the Wisconsin Retirement System for social workers substantially, and this increase in benefits would be borne by the taxpayers.

NOW THEREFORE, BE IT RESOLVED, that the Brown County Board of Supervisors oppose passage of 2005 Assembly Bill 575, and

BE IT FURTHER RESOLVED, that upon passage of this resolution, copies of this resolution be forwarded to the Legislators representing Brown County, Wisconsin Counties Association and all Wisconsin Counties.

Respectfully submitted,  
LEGISLATIVE COMMITTEE  
EXECUTIVE COMMITTEE

Approved by:           /s/ Carol Kelso, County Executive           Date: 1/10/2006

No. 9i -- **RESOLUTION REGARDING: IN SUPPORT OF 2005 ASSEMBLY BILL 208 REGARDING THE ESTABLISHMENT OF RURAL ENTERPRISE ZONES**

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE  
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, 2005 Assembly Bill 208 authorizes the Department of Commerce to create up to 10 rural enterprise zones, and

WHEREAS, the enterprise zones would allow eligible businesses to receive tax benefits when they increase the number of full time jobs or make substantial capital improvements; and

WHEREAS, 2005 Assembly Bill 208 also creates a refundable individual income tax credit, capital gains credit and job credits for qualified business owners and businesses; and

WHEREAS, the Legislative Committee has studied 2005 Assembly Bill 208 and the positive impacts the rural enterprise zones would have on rural Wisconsin communities, such as making them more competitive with urban communities.

NOW THEREFORE, BE IT RESOLVED, that the Brown County Board of Supervisors hereby support 2005 Assembly Bill 208 and that the County Clerk notify our legislators and encourage them to support this bill on the floor of the legislature.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the County Clerk to the Governor and the Clerks of all other Wisconsin counties.

Respectfully submitted,  
LEGISLATIVE COMMITTEE  
EXECUTIVE COMMITTEE

Approved by:       /s/ Carol Kelso, County Executive       Date: 1/10/2006

No. 9j -- **RESOLUTION REGARDING: IN SUPPORT OF ASSEMBLY BILL 802  
AND SIMILAR LEGISLATION THAT WOULD REQUIRE THAT THE  
STATE OF WISCONSIN MORE EQUITABLY SHARE FEDERAL IGT  
FUNDS WITH LOCAL GOVERNMENTS THAT OPERATE NURSING  
HOMES**

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE  
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, nursing homes operated by local governments in Wisconsin sustain losses because of insufficient reimbursement rates under the Medical Assistance (Medicaid) program; and

WHEREAS, the Federal Government provides to each state additional Medicaid funds, based on the amount of losses sustained by nursing homes operated by local governments in that state, such additional funds being known as Intergovernmental Transfer (IGT) funds; and

WHEREAS, the State of Wisconsin passes on some, but not all, of those IGT funds to the local governments that operate nursing homes; and

WHEREAS, it is the local governments, not the State of Wisconsin, that have sustained the losses caused by inadequate Medicaid reimbursement; and

WHEREAS, legislation prepared at the request of Representative Daniel LeMahieu, 2005 AB 802, would permanently require the State of Wisconsin to allocate to such local governments all Federal IGT funds received by the State, to the extent that such funds exceed the amounts budgeted by the State as revenue; and

WHEREAS, 2005 AB 802 would effect a more equitable sharing of the Federal IGT payments between the State and the local governments that operate nursing homes, especially Brown County.

NOW, THEREFORE, BE IT RESOLVED that the Brown County Board of Supervisors strongly supports 2005 AB 802 and any similar legislation that would require that the State of Wisconsin more equitably share Federal IGT funds with local governments that operate nursing homes.

BE IT FURTHER RESOLVED by the Brown County Board of Supervisors that the County Clerk forward copies of this resolution to the Governor and the Legislators representing Brown County, the Wisconsin Counties Association, the Wisconsin Association of County Homes, and all other Wisconsin Counties.

Respectfully submitted,  
LEGISLATIVE COMMITTEE  
EXECUTIVE COMMITTEE

Approved by:           /s/ Carol Kelso, County Executive           Date: 1/10/2006

**No. 9k --     RESOLUTION   REGARDING:     2006   COUNTY-TRIBAL   LAW**  
**ENFORCEMENT GRANT**

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE  
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, the Wisconsin Department of Justice will make available \$27,300 for a joint County-Tribal Law Enforcement grant to be shared between Brown County and the Oneida Nation; and

WHEREAS, the grant would allow both agencies to work together in a spirit of cooperation and sharing of resources which allow the agencies to address issues in law enforcement and public safety that affect Brown County as a whole and the Native American population and other minority populations; and

WHEREAS, approximately half of the grant funds would be used to purchase law enforcement equipment for the Sheriff's Department, as designated in the 2006 budget; and

WHEREAS, remaining funds would be used for items deemed reasonable and necessary by the Oneida Nation for public safety purposes.

NOW, THEREFORE, BE IT RESOLVED by the Brown County Board of Supervisors that Brown County will continue working cooperatively with the Oneida Nation in the area of public safety and law enforcement and will participate in the 2006 County-Tribal Law Enforcement Grant.

BE IT FURTHER RESOLVED, that the Brown County Sheriff's Department's 2006 budget already reflects the County's portion of grant revenues and expenditures in the amount of \$14,400 representing Brown County's share, negating the need for any additional budget modification.

Respectfully submitted,  
PUBLIC SAFETY COMMITTEE

A motion was made by Supervisor Hinz and seconded by Supervisor Fewell "to adopt". Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \_\_\_\_\_ \s/ Carol Kelso, County Executive \_\_\_\_\_ Date: 1/10/2006

No. 91 -- **RESOLUTION REGARDING: TO CENSURE SUPERVISOR EARL VAN DEN HEUVEL**

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE  
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, as a cornerstone of democracy, Americans have observed certain rules of behavior generally to act in a impartial and responsible manner so that all members of the public have confidence in the integrity of its government; and

WHEREAS, certain misrepresentations and discriminatory statements made in a public forum indicate a lack of respect for, and detract from, the open exchange of ideas, prevent open discussion of the issues, and can discourage individuals from their participation in County government when such representations and discriminatory statements imply endorsement of actions contrary to the obligation of elected representatives to treat all persons in a fair, impartial and equal manner; and

WHEREAS, Secs. 1.11(1), 1.11(2) and 1.11(3) of the Brown County Code of Ethics require all county officials, including Brown County Supervisors, act in a fair, impartial and responsible manner toward all members of the public in Brown County; and

WHEREAS, it has come to the attention that the recent actions of Supervisor Earl Van Den Heuvel violate the terms and spirit of the Brown County Code of Ethics and the Oath of public office for elected officials as to the duty to be fair, impartial and responsible to all the people of Brown County; and

WHEREAS, Supervisor Earl Van Den Heuvel's recent actions tend to cast the Brown County Board of Supervisors, and Brown County as a whole, in a negative light; and

WHEREAS, Supervisor Earl Van Den Heuvel's recent actions hinder the Brown County Board of Supervisors' ability to conduct business in an orderly and efficient manner and its ability to represent all the members of the public in Brown County; and

WHEREAS, the Brown County Board of Supervisors deems it necessary to formally censure Supervisor Earl Van Den Heuvel for his recent actions.

NOW, THEREFORE, BE IT RESOLVED by the Brown County Board of Supervisors that Supervisor Earl Van Den Heuvel is formally censured for his activities for the reasons set forth above.

BE IT FURTHER RESOLVED that Supervisor Earl Van Den Heuvel is encouraged to review the Constitutional obligations to treat all members of the public in a fair, impartial and equal manner, as set forth Oath of office taken by all County Supervisors, together with those duties set forth in Sec. 1.11(1), (2) and 1.11(3) of the Brown County Code of Ethics, and conform his conduct to the spirit and intent of those provisions from this time forward.

Respectfully submitted,  
EXECUTIVE COMMITTEE

A motion was made by Supervisor Frohna and seconded by Supervisor Beyl **"to adopt"**. Vote taken. Roll Call # 91(1):

Ayes: Graves, Nicholson, Theisen, Haefs, Erickson, Evans, Vander Leest, Johnson, Dantinne, Frohna, Collins, Beyl, Backmann, Van Deurzen, Fleck, Clancy, Moynihan, Zabel, Scray, Hinz, Lund, Fewell

Nays: Krueger

Abstain: Van Den Heuvel, Zima

Excused: Kaye

Total Ayes: 22      Total Nays: 1      Abstained: 2      Excused: 1

Motion carried.

Approved by:       /s/ Carol Kelso, County Executive      

Date: 1/10/2006

**No. 10 --      Such other matters as authorized by law.**

**Late Communications.**

**No. 10a -- From Supervisor Clancy regarding: would like administration to respond regarding the Hippa Inquiry.**

Refer to Executive Committee.

**No. 10b -- From Supervisor Zabel regarding: a request to have Human Services staff review and address the teenage pregnancy issue in Brown County. I am specifically looking to have staff define the significance of the problem and recommend possible solutions.**

Refer to Human Services Committee.

**No. 10c -- From Supervisor Van Den Heuvel regarding: to look at using aquatic herbicides to control unmanageable weed growth at the east and west end of Lily Lake County Park.**

Refer to Education and Recreation Committee.

**No. 10d -- From Supervisor Fewell regarding: requesting that each department submit to their parent committee a quarterly budget report similar to the annual budget but with updated expenditures and revenues. This report should also reflect any changes in expenditures or revenue related to the approved department budget with correlating explanations.**

Refer to Executive Committee.

**No. 10e -- From Supervisor Fewell regarding: the 2006 budget reflects a \$1,000,000 transfer from the MHC reserve funds to help balance the budget. I am requesting a report on the last five years on the MHC reserve funds. Have these funds been used to pay for budget over-runs at the MHC or the Human Services Budget? Is this \$1,000,000 transfer in addition to the \$1,700,000 the County Executive used from reserve funds to buy down the tax rate?**

Refer to Human Services Committee

**No. 10f -- From Supervisor Fewell regarding: requesting that the accountant for the Sheriff's department and the Brown County Board Internal Auditor report their findings on the actual jail cost per day. This report should reflect the fixed cost that Brown County pays to operate the jail regardless of receiving prisoners from other counties. Has the jail added administrative staff to handle the extra prisoners?**

Refer to Public Safety Committee.

**No. 11 -- Bills over \$10,000 for period ending December 1, 2005.**

A motion was made by Supervisor Beyl and seconded by Supervisor Collins **“to approve paying the bills for period ending December 1, 2005”**. Voice vote taken. Motion carried unanimously with no abstentions.

**No. 12 -- Closing Roll Call:**

Present: Van Den Heuvel, Graves, Nicholson, Theisen, Krueger, Haefs, Erickson, Zima, Evans, Vander Leest, Johnson, Dantine, Frohna, Collins, Beyl, Backmann, Fleck, Van Deurzen, Clancy, Moynihan, Zabel, Scray, Hinz, Lund, Fewell

Excused: Kaye

Total Present: 25 Total Excused: 1

**No. 14 -- ADJOURNMENT TO WEDNESDAY, JANUARY 18, 2006, AT 7:00 P.M., LEGISLATIVE ROOM 203, 100 N. JEFFERSON STREET, GREEN BAY, WISCONSIN.**

A motion was made by Supervisor Frohna and seconded by Supervisor Dantine **“to adjourn to the above date and time.”** Voice vote taken. Motion carried unanimously with no abstentions.

\s\ DARLENE K. MARCELLE

Brown County Clerk